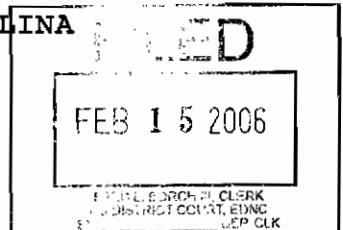


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
CIVIL ACTION NO. 7-06-CV-4-BO3



In the Matter of: :
Celso Marques, d/b/a :
Blue Water Jet Ski Rentals, : PETITION FOR APPOINTMENT
Owner of the Yamaha Jet Ski, : OF GUARDIAN AD LITEM
Hull Identification #YAMA2086690, :
North Carolina Registration #NC1628WY, :
For Exoneration from or :
Limitation of Liability :
:

Pursuant to Rule 17(c) of the Federal Rules of Civil Procedure and local Civil Rule 17.1(a), EDNC, the undersigned, as attorneys for Plaintiff, respectfully petition the court for an order appointing Don T. Evans, Esq. as Guardian Ad Litem for Ross Behuniak, a known claimant in this action. In support of this Petition, the undersigned respectfully shows the Court, upon information and belief, the following:

1. This is an action for exoneration for or limitation of liability arising out of a collision between a jet ski owned by Plaintiff (but operated by a third party) and a recreational vessel.

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Case 7:06-cv-00004-BO Document 18 Filed 02/15/06 Page 1 of 3

2. Ross Behuniak was a passenger aboard the recreational vessel which collided with Plaintiff's jet ski. Others on the recreational vessel include Theresa Behuniak, Bryan Behuniak, David Behuniak and the operator, Robert Allen Behuniak.

3. Passenger Ross Behuniak is age 13 or 14 and passenger Bryan Behuniak is age 47 and both have the identical address in Raleigh, North Carolina. Further, it is believed that Bryan Behuniak is the father of Ross Behuniak and minor passenger David Behuniak.

4. This Court has appointed Don T. Evans, Esq. as Guardian Ad Litem for minor passenger David Behuniak in this action.

5. Don T. Evans, Esq. confirmed to the undersigned during a telephone conversation on Tuesday, February 14, 2006 that he would be willing to serve as Guardian Ad Litem for Ross Behuniak (until and unless a conflict of interest arises as David Behuniak and Ross Behuniak are claimants who may be competing for a limited fund in the event the Court limits Plaintiff's liability).

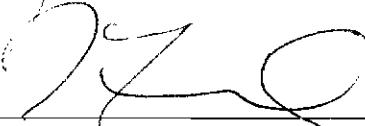
WHEREFORE, Plaintiff prays an order of this Court:

1. Appointing Don T. Evans, Esq. Guardian Ad Litem for minor Ross Behuniak;

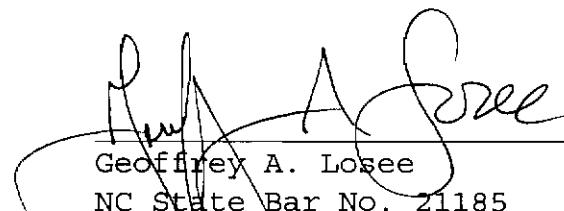
2. Taxing the Guardian Ad Litem's fees, if any, as a cost in this action, the payer of which may be determined by this Court at a later date.

Respectfully submitted this 15th day of February, 2006.

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